

TERMINAL DISCLAIMER TO OBVIATE A PROVISIONAL DOUBLE PATENTING REJECTION OVER A PRIOR PATENT	Docket Number (Optional)
	068158.00006

In re Application of: Joseph M. Pavlik et al.
Patent No.: 6,913,254
Issued: July 5, 2005
For: LOCATING ASSEMBLY HAVING AN EXTENDABLE CLAMPING FINGER

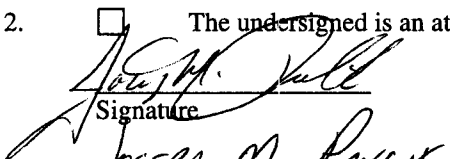
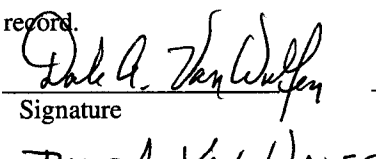
The joint owners*, Welker Bearing Company and Joseph M. Pavlik, of 100 percent interest in the instant patent no. 6,913,254 and in prior patent no. 6,786,478 with Welker Bearing Company holding an exclusive license executed by Joseph M. Pavlik for both the instant patent no. 6,913,254 and for prior patent no. 6,786,478, hereby disclaim, except as provided below, the terminal part of the statutory term of patent no. 6,913,254, which would extend beyond the expiration date of the full statutory term defined in 35 U.S.C. 154 to 156 and 173 as presently shortened by any terminal disclaimer of prior patent no. 6,786,478. The owner hereby agrees that patent no. 6,913,254 shall be enforceable only for and during such period that it and prior patent no. 6,786,478 are commonly owned. This agreement runs with patent no. 6,913,254 and is binding upon the grantee, its successors or assigns.

In making the above disclaimer, the owners do not disclaim the terminal part of patent no. 6,913,254 that would extend to the expiration date of the full statutory term as defined in 35 U.S.C. 154 to 156 and 173 of the prior patent (6,786,478), "as the term of said prior patent is presently shortened by any terminal disclaimer", in the event that said prior patent (6,786,478) later expires for failure to pay a maintenance fee, is held unenforceable, is found invalid by a court of competent jurisdiction, is statutorily disclaimed in whole or terminally disclaimed under 37 CFR 1.321, has all claims canceled by a reexamination certificate, is reissued, or is in any manner terminated prior to the expiration of its full statutory term as shortened by any terminal disclaimer filed prior to its grant. Nor does Welker Bearing Company withdraw its earlier-filed Terminal Disclaimer. The joint owners warrant that the ownership status of patent no. 6,913,254 and patent no. 6,786,478 has remained unchanged since Welker Bearing Company obtained its ownership interest in patent no. 6,913,254 and patent no. 6,786,478 from inventors Douglas J. Holt and Robert C. Adams, Jr. on November 11, 2003. The above disclaimer is retroactive to the issue date or whatever date is necessary for enforcement of the above-referenced patents. Check either box 1 or 2 below, if appropriate.

1. ☒ For submissions on behalf of an organization (e.g. corporation, partnership, university, government agency, etc.), the undersigned is empowered to act on behalf of the organization. The undersigned individual is empowered to act on his own behalf.

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

2. ☐ The undersigned is an attorney or agent of record.

 Signature	<u>6-12-07</u> Date	 Signature	<u>6-12-07</u> Date
JOSEPH M. PAVLIK Type or print name		DALE A. VAN WULFEN Type or print name	

- ☒ The Commissioner is hereby authorized to charge the Terminal Disclaimer fee under 37 CFR 1.20(d) to deposit account no. 08/2789 in the name of Howard & Howard Attorneys, P.C.

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*Statement under 37 CFR 3.73(b) is required if terminal disclaimer is signed by the assignee (owner).

Form PTO/SB/96 may be used for making this statement. See MPEP § 324.

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